

REMARKS

Claims 14-37 are currently pending and stand rejected.

Claims 1-13 have been previously canceled without prejudice or disclaimer.

Claims 14-22, 27-29, and 31 are herewith amended, claims 23-26, 30, and 32-37 are herewith canceled without prejudice or disclaimer as to the subject matter thereof, and new claims 38-48 are submitted for entry. Applicants aver that no new matter has been introduced by way of the amendments set forth above.

For ease of review of the independent claims (i.e., amended independent claims 14 and 27 and new independent claim 38) said claims are set forth below as they will appear following entry of the instant Amendment and Response.

14. A catheter comprising:

an elongate body;

a unitary electrode having at least one bore formed through the electrode, wherein the unitary electrode couples to and is disposed at a distal end portion of the elongate body;

a conductive wire extending through said elongate body and electrically coupled to said unitary electrode; and

an irrigation channel extending through said elongate body and fluidly coupled to a proximal portion of the at least one bore,

wherein said at least one bore includes at least one fluid outlet branch coupling to a lateral side of the unitary electrode and said at least one fluid outlet branch includes one of a thermally insulating interior casing and a thermally poorly conductive material disposed within said at least one branch.

27. A catheter comprising:
- an elongate body;
 - a unitary electrode having a longitudinal axis disposed at a first end of the elongate body and having at least one outlet opening formed therethrough at an angle relative to the longitudinal axis;
 - at least one electrically conductive wire extending through said elongate body, said at least one electrically conductive wire coupled to said unitary electrode;
 - an irrigation channel extending through said elongate body and fluidly coupled to the at least one outlet opening, said channel configured to deliver a fluid through said elongated body from a remote source of fluid and into said at least one passageway; and
 - one of a thermally insulative material and a thermally poorly conductive material disposed to insulate at least a portion of said at least one outlet opening.
38. A method, comprising:
- deploying a unitary electrode body coupled to a distal portion of an elongate flexible shaft into contact with a volume of a target tissue, wherein said unitary electrode body includes a longitudinal fluid passageway formed from a proximal end portion through to a less proximal surface portion and the fluid passageway couples to at least one outlet opening formed at an angle relative to the longitudinal fluid passageway;
 - measuring a temperature of said unitary electrode body with a temperature sensor coupled to the electrode body and spaced from the fluid passageway; and
 - dispensing fluid from a remote vessel through an irrigation channel within the elongate body fluidly coupled to said fluid passageway,
 - wherein at least a portion of an interior surface of said at least one outlet opening comprises a thermally insulative material.

Claim Rejections under 35 U.S.C. §102

Claims 14-18 and 21-31 stand rejected as allegedly anticipated by the 275 patent to Webster, Jr. ("Webster") under 35 U.S.C. §102(b).

Of course, for Webster to be deemed to actually anticipate the claims Webster must disclose *each and every element of the claims* either expressly or through principles of inherency.

Applicants respectfully assert that Webster fails to meet the standard for a *prima facie* anticipation rejection and thus the rejection based solely upon Webster must be withdrawn. That is, as to the still-pending claims 14-18, 21-22 and 27-31 (due to the cancelation of claims 23-26 and 32-37) the rejection fails meet the threshold for a *prima facie* anticipation rejection.

First of all, among other distinguishing elements Webster fails to disclose a unitary electrode which in and of itself is enough to disqualify Webster as an allegedly anticipating reference. In addition, Webster fails to disclose any thermal insulation disposed within a portion of a fluid outlet.

Since each independent claim includes these features Applicants respectfully request that the rejection based solely upon Webster be withdrawn as to claims 14-18 and 21-31.

Rejection based on 25 U.S.C. §103

Claims 19 and 20 stand rejected as allegedly being unpatentable over Webster in view of the '431 patent to Rydell et al. ("Rydell").

Applicants respectfully disagree and request that the rejection be withdrawn based at least in part upon the characterization of Webster set forth above which is hereby incorporated by reference.

Claim 32-34 and 36-37 stand rejected as allegedly being unpatentable over Webster in view of the '737 patent to Simpson et al. ("Simpson").

Applicants respectfully disagree and request that the rejection be withdrawn based at least in part upon the characterization of Webster set forth above which is hereby incorporated by reference. In any event, this ground of rejection has been rendered moot as the rejected claims are herewith canceled without prejudice or disclaimer so no response is required. Neither Webster nor Simpson discloses or suggests the subject matter claimed in pending claims 19 and 20 and as such they fail to posit a *prima facie* ground of rejection and the rejection should be promptly withdrawn.

Claim 35 stands rejected as allegedly being unpatentable over Webster in view of the '737 patent to Simpson et al. ("Simpson").

Applicants respectfully disagree and request that the rejection be withdrawn based at least in part upon the characterization of Webster set forth above which is hereby incorporated by reference. However, since claim 35 has been canceled herewith no substantive response is required to this ground of rejection.

Entry of the instant Amendment and Response is earnestly solicited so that the pending claims may pass to timely issuance as U.S. Letters Patent.

Respectfully submitted,

Date: 4 May 2009

/Paul H. McDowall/
Paul H. McDowall
Registration No. 34,873
St. Jude Medical, Atrial Fibrillation
Division, Inc.
Customer No. 55714
Tel: (651) 756-3165